

The main reason why we have been unable to aggressively pursue and prosecute hate crimes is because law enforcement agencies in our States and towns lack the tools and resources.

I'd like to point out that this legislation has been endorsed by 31 Attorney Generals from all across the country, the very people who can attest to how critical this legislation is to stemming hate crime violence and to prosecuting and punishing the perpetrators of violent hate crimes.

Secondly, with respect to whether this legislation will have a negative impact on free speech, simply put, it will not. H.R. 1592 does not punish or prohibit in any way first amendment rights. It does not affect name-calling, verbal abuse, hateful expression or hate-filled speech. It only addresses violent criminal acts. In fact, there is a first amendment free expression and free exercise provision explicitly included in this bill.

Mr. Speaker, H.R. 1592 solely applies to bias motivated violent crimes. It does not infringe upon freedom of speech. It can only be applied to violent crimes that result in death or bodily injury where the motivation was based on the bias against a person's perceived race, religion, ethnicity, sexual orientation, gender, gender identity or disability.

I want to remind all of my colleagues that behind all of the statistics of hate crimes, there are real people, people who were targeted for violence and who suffered violent attacks simply because of who they are.

Let me tell you a story of Lisa Craig, a 35-year old mother of two from my own State of Massachusetts. In 2003, Craig was assaulted on the street by three teenage girls and kicked in the head multiple times, causing her brain to bleed, and requiring 200 stitches in her head. Craig's partner and her two daughters witnessed the attack by these teenagers who, earlier in the evening, had been shouting anti-gay epithets at the couple.

Lisa Craig's case is just one of thousands, but it demonstrates the bloody results of hate crimes. We need to prevent hate crimes like the one suffered by Lisa Craig from ever occurring again, and we need to give our State and local law enforcement officers and court officials the ability to prosecute and punish the perpetrators of such violent acts for what they are, hate crimes. Passing H.R. 1592 will enable our police, our prosecutors, our judges and our courts to do just that.

Mr. Speaker, I encourage my colleagues to support the rule and the underlying legislation.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. McGOVERN) for yielding me the customary 30 minutes.

Mr. Speaker, I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

□ 1030

Mr. HASTINGS of Washington. Mr. Speaker, I rise today in opposition to this closed rule and the underlying bill, the Local Law Enforcement Hate Crimes Prevention Act.

Mr. Speaker, no one supports violent acts of crimes committed out of hatred toward a person based on personal characteristic whether that is ethnicity, gender, religion, weight, height, age, eye color, profession, socioeconomic background, or political beliefs. If someone commits a crime, they should be punished for that crime. Period.

Instead, today, the Democrat majority has chosen to end equality under the law and to bring legislation to the House floor that creates special categories of people. Specifically, this bill allows Federal assistance to be given to State and local law enforcement to investigate and prosecute felonies that are believed to be motivated by prejudice based on actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability.

This bill also makes certain crimes a felony in cases where the perpetrator was believed to be motivated by bias and there has been a history of such bias-motivated violence.

Separate treatment is afforded for crimes based on hate against protected classes of citizens under this bill, as opposed to crimes against victims that are not in a protected category. As we learned decades ago, separate is not equal.

The Law Enforcement Hate Crimes Prevention Act is a bad bill and should not be brought to the floor, but especially under the closed process that does not allow for any changes or improvements to the underlying bill.

Eighteen thoughtful amendments were submitted to the Rules Committee yesterday, and sadly, not one of these amendments was allowed to be considered by the full House of Representatives. I am disappointed the Democrat majority again has missed an opportunity to live up to their commitment of allowing input under an open process.

Mr. Speaker, how many special categories of people should this bill create? Have all characteristics for which there has been a history of bias-motivated violence been included in this bill? Should more categories be added and should some be excluded from this bill?

Under this closed rule, these questions will not be answered today by Members of the House through the amendment process.

Yesterday, Mr. FORBES of Virginia offered an amendment to this bill that would expand the list of protected categories of individuals to include members of the Armed Forces. If you believe the government should afford special treatment to crimes committed against special groups of citizens, then why not our military men and women?

Why aren't those who volunteer to protect our country's freedom not afforded this protected status?

Mr. GOHMERT of Texas offered an amendment that would add law enforcement officers to the list. There have been several instances where gang members and would-be gang members have targeted and killed law enforcement officers because of their hatred towards them for choosing to go to work each day to protect our communities. Is committing a crime against law enforcement officers simply because their job is to uphold our laws a crime not deserving of special assistance to investigate and prosecute that crime?

Crimes have been committed against senior citizens, and an amendment was offered to include them under the hate crimes legislation, but that amendment, too, was not allowed under this closed rule today.

The question remains, if the Law Enforcement Hate Crimes Prevention Act creates special protection, then whom should it create special protection for? Because this bill is being brought up under a closed rule, Members of the House and the people they represent will not have an opportunity to voice their opinion on this question through the amendment process.

Mr. Speaker, I must oppose this closed rule, which not only gags the minority party, but gags all Members of the House, who will be denied the right to offer improvements to this legislation. I urge my colleagues to oppose the gag order rule and the underlying bill that creates special categories of citizens and ends equality under the law.

Mr. Speaker, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I submit for the RECORD a letter signed by 31 State attorneys general, including the Republican attorney general of the State of Washington, in strong support of the underlying legislation.

APRIL 16, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, The Capitol, Washington, DC.

Hon. HARRY REID,
Majority Leader, U.S. Senate, The Capitol, Washington, DC

Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, The Capitol, Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, The Capitol, Washington, DC.

We, the undersigned Attorneys General, are writing to express our strong support of Congressional efforts towards the immediate passage of federal hate crimes legislation. As the chief legal officers in our respective jurisdictions, State Attorneys General are on the front lines in the fight to protect our citizens' civil rights. Although state and local governments continue to have the primary responsibility for enforcing criminal law, we believe that federal assistance is critical in fighting the invidious effects of hate crimes.

This much needed legislation would remove unnecessary jurisdictional barriers to permit the U.S. Department of Justice to